



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

August 4, 2016

Steven V. King, Executive Director and Secretary
Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Origin Networks, LLC*

Commission Staff's Response to Request for Mitigation UT-160579

Dear Mr. King:

On June 15, 2016, the Utilities and Transportation Commission issued a \$700 Penalty Assessment in Docket UT-160579 against Origin Networks, LLC for seven violations of Washington Administrative Code (WAC 480-120-382), which requires telecommunications companies to furnish annual reports, supporting documentation and the regulatory fee to the commission no later than May 1 each year, or in this case, May 2 as May 1 was a Sunday.

On June 20, 2016, Origin Networks, LLC wrote the commission requesting mitigation of penalties. In its mitigation request, Origin Networks, LLC does not dispute the violation occurred. The company states, "...Filing late was due to an accident sustained by (myself) the companies Regulatory Representative. Which due to such unforeseen accident (where I broke my face) and I was hospitalized and unable to file on time, but did file as soon as I was able to, which was on 5/11/2016. I would ask for waiver of such penalties, due to our perfect and longtime historical standing of timely filings and payments."

It is the company's responsibility to ensure that the regulatory fee is paid and the annual report is filed by the May 1 deadline, or in this case, May 2 as May 1 was a Sunday. On February 29, 2016, Annual Report packets were mailed to all regulated telecommunication companies. The instructions page along with Schedule 1, Part A informs the regulated company that it must complete the annual report form, provide the supporting financial reporting documents and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

On May 11, 2016, Origin Networks, LLC filed the complete 2015 annual report and paid the regulatory fee owed.

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Origin Networks, LLC became active in 2015. Although this is Origin Networks, LLC's first violation, the company and responsible company regulatory representative are aware of the filing requirements and filed a different company's 2011 annual report late. The company's regulatory representative was hospitalized and she and ultimately filed the complete annual report on May 11, which is before the penalty assessment notice was issued. In consideration of these factors, staff recommends a reduced penalty of \$25 per day for a total penalty assessment of \$175.

If you have any questions regarding this recommendation, please contact Sean Bennett, Regulatory Analyst, at (360) 664-1157, or sbennett@utc.wa.gov.

Sincerely,



Sondra Walsh, Director
Administrative Services